



\*Billing Code 3410-15

## DEPARTMENT OF AGRICULTURE

August 24, 2012

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, D.C. 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection

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of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

**Rural Utilities Service**

*TITLE:* 7 CFR 1730, Review Rating Summary

*OMB CONTROL NUMBER:* 0572-0025

*SUMMARY OF COLLECTION:* The Rural Utilities Service (RUS) manages loan programs in accordance with the Rural Electrification Act (RE Act) of 1936, 7 U.S.C. 901 et seq., as amended. An important part of safeguarding loan security is to see that RUS financed facilities are being responsibly used, adequately operated, and adequately maintained. Future needs have to be anticipated to ensure that facilities will continue to produce revenue and loans will be repaid as required by the RUS mortgage. Regular periodic operations and maintenance (O&M) review can identify and correct inadequate O&M practices before they cause extensive harm to the system. Inadequate O&M practices can result in public safety hazards, increased power outages for consumers, added expense for emergency maintenance, and premature aging of the borrower's systems, which could increase the loan security risk to RUS.

*NEED AND USE OF THE INFORMATION:* RUS will collect information using form 300 Review Rate Summary to identify items that may be in need of additional attention; to plan corrective actions when needed; to budget funds and manpower for needed work; and to initiate ongoing programs as necessary to avoid or minimize the need for "catch-up" programs.

*DESCRIPTION OF RESPONDENTS:* Not-for-profit institutions; Business or other for-profit

*NUMBER OF RESPONDENTS:* 217

*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 868

## **Rural Utilities Service**

*TITLE:* Operating Reports for Telecommunications and Broadband Borrowers

*OMB CONTROL NUMBER:* 0572-0031

*SUMMARY OF COLLECTION:* The Rural Utilities Service's (RUS) is a credit agency of the Department of Agriculture. The Rural Electrification Act of 1936, as amended (RE Act) (7 U.S.C. 901 et seq ) authorizes the Secretary to make mortgage loans and loan guarantees to finance electric, telecommunications, broadband, and water and waste facilities in rural areas. In addition to providing loans and loan guarantees, one of RUS' main objectives is to safeguard loan security until the loan is repaid. The RE Act also authorizes the Secretary to make studies, investigations, and reports concerning the progress of borrowers' furnishing of adequate telephone service and publish and disseminate this information.

*NEED AND USE OF THE INFORMATION:* Information from the Operating Report for both telecommunication and broadband borrowers provides RUS with vital financial information needed to ensure the maintenance of the security for the Government's loans and service data which enables RUS to ensure the provision of quality telecommunications and broadband service as mandated by the RE Act of 1936. Form 674, "Certificate of Authority to Submit or Grant Access to Data" will allow telecommunication and broadband borrowers to file electronic Operating Reports with the agency using the new USDA Data Collection System. Accompanied by a Board Resolution, it will identify the name and USDA eAuthentication ID for a certifier and security administrator that will have access to the system for purposes of filing electronic Operating Reports.

*DESCRIPTION OF RESPONDENTS:* Business or other for-profit; Not-for-profit institutions

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*NUMBER OF RESPONDENTS:* 597

*FREQUENCY OF RESPONSES:* Reporting: On occasion; Quarterly; Annually

*TOTAL BURDEN HOURS:* 2,910

### **Rural Utilities Service**

*TITLE:* 7 CFR Part 1786, Prepayment of RUS Guaranteed and Insured Loans to Electric and Telephone Borrowers

*OMB CONTROL NUMBER:* 0572-0088

*SUMMARY OF COLLECTION:* The Rural Electrification (RE) Act of 1936, as amended, authorizes and empowers the Administrator of RUS to make loans in the States and Territories of the United States for rural electrification and for the purpose of furnishing and improving electric and telephone service in rural areas and to assist electric borrowers to implement demand side management, energy conservation programs, and on-grid and off-grid renewable energy systems. 7 CFR Part 1786, subparts E and F are authorized by this section.

*NEED AND USE OF THE INFORMATION:* The information will be collected from borrowers requesting to prepay their notes and to determine that the borrower is qualified to prepay under the authorizing statutes. The overall goal of Subparts E and F is to allow RUS borrowers to prepay their RUS loan and the overall goal of Subpart G is to refinance.

*DESCRIPTION OF RESPONDENTS:* Business or other for-profit; Not-for-profit institutions

*NUMBER OF RESPONDENTS:* 5

*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 16

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## **Rural Utility Service**

*TITLE:* 7 CFR 1773, Policy on Audits of RUS Borrowers

*OMB CONTROL NUMBER:* 0572-0095

*SUMMARY OF COLLECTION:* Under the authority of the Rural Electrification Act of 1936 (ACT), as amended 7 U.S.C. 901 et seq., the Administrator is authorized and empowered to make loans under certain specified circumstances for the purpose of furnishing and improving telephone service in rural areas. RUS, in representing the Federal Government as Mortgagee, relies on the information provided by the borrowers in their financial statements to make lending decisions as to borrowers' credit worthiness and to assure that loan funds are approved, advanced and disbursed for proper Act purposes. Borrowers are required to furnish a full and complete report of their financial condition, operations and cash flows, in form and substance satisfactory to RUS.

*NEED AND USE OF THE INFORMATION:* RUS will collect information to evaluate borrowers' financial performance, determine whether current loans are at financial risk, and determine the credit worthiness of future losses. If information is not collected, it would delay RUS' analysis of the borrowers' financial strength, thereby adversely impacting current lending decisions.

*DESCRIPTION OF RESPONDENTS:* Not-for-profit institutions; Business or other for-profit

*NUMBER OF RESPONDENTS:* 1,250

*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 13,927

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## **Rural Utilities Service**

*TITLE:* 7 CFR 1744-E, Borrower Investments - Telecommunications Loan Program

*OMB CONTROL NUMBER:* 0572-0098

*SUMMARY OF COLLECTION:* The Rural Economic Development Act of 1990, Title XXIII of the Farm Bill, Public Law 101-624, authorized qualified Rural Utilities Service (RUS) borrowers to make investments in rural development projects without the prior approval of the RUS Administrator, provided, however that such investments do not cause the borrower to exceed its allowable qualified investment level as determined in accordance with the procedures set forth in 7 CFR Part 1744, Subpart E. RUS requests that the borrower submit 1) a description of the rural development project and type of investment; 2) a reasonable estimate of the amount the borrower is committed to provide to the project including future expenditures; and 3) a pro forma balance sheet and cash flow statement for the period covering the borrower's future commitments to determine that the "excess" or proposed "excess" investments will not impair the borrower's ability to repay the loan or cause financial hardship.

*NEED AND USE OF THE INFORMATION:* RUS will collect information to consider whether or not to approve a borrower's request to make an investment in a rural development project when such an investment would cause the borrower to exceed its allowable investment level. If this information was not collected, RUS could not thoroughly assess the economic impact of such an investment.

*DESCRIPTION OF RESPONDENTS:* Business or other for-profit; Not-for-profit institutions

*NUMBER OF RESPONDENTS:* 2

*FREQUENCY OF RESPONSES:* Reporting: On occasion

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*TOTAL BURDEN HOURS:* 1

### **Rural Utilities Service**

*TITLE:* 7 CFR 1751 Subpart B/State Telecommunications Modernization Plan

*OMB CONTROL NUMBER:* 0572-0104

*SUMMARY OF COLLECTION:* The Rural Electrification Loan Restructuring Act (RELRA, P.L. 103-129), November 1, 1993, amended the Rural Electrification Act of 1936, 7 U.S.C. 901 et seq. (the RE Act). RELRA required that a State Telecommunications Modernization Plan (Modernization Plan or Plan), meet all the statutory requirements of RELRA (Part 1751, Subpart B). The plan at a minimum must provide for: (1) the elimination of party line service; (2) the availability of telecommunications services for improved business, educational, and medical services; (3) must encourage computer networks and information highways for subscribers in rural areas; (4) must provide for subscribers in rural areas to be able to receive through telephone lines: (a) conference calling; (b) video images; and (c) data at a rate of 1 million bits of information per second; and, the proper routing of information to subscribers.

*NEED AND USE OF THE INFORMATION:* The Rural Utilities Service (RUS) telecommunications program staff will review the Modernization Plan and approve the plans, if it complies with the requirements of the regulation. If the proposed Modernization Plan is approved, RUS will notify the developer of the approval. If not, RUS will make specific written comments and suggestions for modifying the proposed Modernization Plan so that it will comply with the requirements of the regulation. If the information is not collected, RUS' authority to make loans under the Rural Electrification Act will be restricted.

*DESCRIPTION OF RESPONDENTS:* Business or other for-profit; Not-for-profit institutions



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*NUMBER OF RESPONDENTS:* 1

*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 350

### **Rural Utilities Service**

*TITLE:* 7 CFR 1717 Subpart D, Mergers and Consolidations of Electric Borrowers

*OMB CONTROL NUMBER:* 0572-0114

*SUMMARY OF COLLECTION:* The Rural Utilities Service (RUS) is a credit agency of the U.S. Department of Agriculture. It makes mortgage loans and loan guarantees to finance electric, telecommunications, water and waste and water facilities in rural areas. Loan programs are managed in accordance with the Rural Electrification Act (RE Act) of 1936, 7 U.S.C. 901 et seq., as amended and as prescribed by the Office of Management and Budget (OMB) Circular A-129, Policies for Federal Credit Programs and Non-tax Receivable, states that agencies must base on a review of a loan application determine that an applicant complies with statutory, regulatory, and administrative eligibility requirements for loan assistance.

*NEED AND USE OF THE INFORMATION:* RUS will collect information to streamline procedures and allow borrowers the flexibility to meet new business challenges and opportunities. The information is necessary for RUS to conduct business with successor entity while protecting the security of Government loans and avoiding defaults and to grant merger approval when required.

*DESCRIPTION OF RESPONDENTS:* Business or other for-profit

*NUMBER OF RESPONDENTS:* 12

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*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 170

### **Rural Utilities Service**

*TITLE:* Use of Consultants Funded by Borrowers, 7 CFR 1789

*OMB CONTROL NUMBER:* 0572-0115

*SUMMARY OF COLLECTION:* The Rural Utilities Service (RUS) is a credit agency of the Department of Agriculture that makes mortgage loans and loan guarantees to finance electric, telecommunications, and water and waste facilities in rural areas. The loan programs are managed in accordance with the Rural Electrification Act (RE Act) of 1936, 7 U.S.C. 901 et seq., as amended, and as prescribed by Office of Management and Budget Circular A-129, Policies for Federal Credit Programs and Non-Tax Receivable, which states that agencies must, based on a review of a loan application, determine that an applicant complies with statutory, regulatory, and administrative eligibility requirements for loan assistance. RUS has the authority to use consultants voluntarily funded by borrowers for financial, legal, engineering, and other technical services. However, all RUS borrowers are eligible to fund consultant services but are not required to fund consultants.

*NEED AND USE OF THE INFORMATION:* RUS will collect information to determine whether it is appropriate to use a consultant voluntarily funded by the borrower to expedite a particular borrower application. If the information were not submitted, RUS would be unable to determine if using a consultant would accelerate the specific application process.

*DESCRIPTION OF RESPONDENTS:* Not-for-profit institutions; Business or other for-profit

*NUMBER OF RESPONDENTS:* 1

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*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 2

### **Rural Utilities Service**

*TITLE:* 7 CFR 1717 Subpart Y, Settlement of Debt Owed by Electric Borrowers

*OMB CONTROL NUMBER:* 0572-0116

*SUMMARY OF COLLECTION:* The Rural Utilities Service (RUS) makes mortgage loans and loan guarantees to electric systems to provide and improve electric service in rural areas pursuant to the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 et. seq.)(RE Act). Only those electric borrowers that are unable to fully repay their debts to the government and who apply to RUS for relief will be affected by this collection of information. The information collected will be similar to that which any prudent lender would need to determine whether debt settlement is required and the amount of relief that is needed.

*NEED AND USE OF THE INFORMATION:* RUS will collect information to determine the need for debt settlement; the amount of debt the borrower can repay; the future scheduling of debt repayment; and, the range of opportunities for enhancing the amount of debt that can be recovered.

*DESCRIPTION OF RESPONDENTS:* Non-for-profit institutions; Business or other for-profit

*NUMBER OF RESPONDENTS:* 1

*FREQUENCY OF RESPONSES:* Reporting: On occasion

*TOTAL BURDEN HOURS:* 2,000

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